Neutral Citation No: [2025] NIKB 50	*Ref:*	**COL12756**
	ICOS No:	**24/12795/01**
Judgment: approved by the court for handing down (subject to editorial corrections)*	*Delivered:*	**12/09/2025**

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

_____

KING'S BENCH DIVISION

_____

BETWEEN:

PAUL TWEED

Plaintiff

and

ANDREAS KRIEG

Defendant

_____

Mr Ringland KC and Mr McMahon (instructed by Gateley Tweed, Solicitors) for the Plaintiff
Mr Coghlin KC and Ms Rowan (instructed by Carson McDowell LLP) for the Defendant

_____

COLTON J

Introduction

[1] Principle 18 of the UN Basic Principles on the Role of Lawyers provides that:

> "Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions."

[2] In the court's view it is this principle which underlies the plaintiff's cause of action in this defamation action.

[3] The action arises from two publications. The first relates to a portion of a book written by the defendant entitled "Subversion, the Strategic Weaponisation of Narratives" ("the Book") published by Georgetown University Press on 1 May 2023.

[4] The words complained of by the plaintiff are set out at page 164 of the Book in the following terms:

> "Beyond helping to disseminate narratives and building networks between like-minded academics, journalists and policymakers, public relations and lobbying companies help Abu Dhabi silence critical voices in the West. A London-based consultancy, Cornerstone Global Associates – according to the New York Times a part of the UAE's information network in Europe – closely works with a British libel lawyer to send aggressive cease-and-desist letters to academic publishers, universities, and social media companies in an effort to target individuals critical of the UAE and its regional policy. The libel lawyer thereby targets not just references to Cornerstone and its director but also mentions of other individuals closely aligned with Abu Dhabi's information nexus – most notably Mohammed Dahlan allegedly a key interlocutor for the Abu Dhabi's Crown Prince MbZ. This type of lawfare is meant to intimidate critics and provides the UAE's information network with ammunition to attack such critics."

[5] For the purposes of this application, it is not in dispute that the "libel lawyer" in question is the plaintiff.

[6] The second publication complained of by the plaintiff relates to a Post published by the defendant on his X account platform on 14 July 2023 ("the Post"). The Post included a photograph of the plaintiff and contained the following text:

> "Emails show the lawyer suggested an aggressive strategy to #UAE Secret Agent 'Matar' over Princess Latifa. But also, that he fought against Facebook and Twitter to obtain the removal of content related to the prisoner Maryam al-Balushi."

The Post was accompanied by a link to an article published by a European media outlet (Heidi.News) in French.

Chronology and summary of the pleadings

[7] After initial pre-proceedings correspondence the pleadings unfolded as follows:

(i) Writ of Summons issued on 12 February 2024.

(ii) Statement of Claim served 10 June 2024. The plaintiff alleges that both publications were defamatory of him entitling him to damages, including aggravated and exemplary damages and injunctive relief. The plaintiff

further claimed damages for an alleged breach of his data rights under the UK General Data Protection Regulations and the Data Protection Act 2018.

(iii) Defence served on 15 October 2024. It denies that the publications were defamatory of the plaintiff and pleads specific defences including under the headings Truth, Honest Opinion and Statement on a Matter of Public Interest. The defence denies any breach of the plaintiff's data protection rights and that he is entitled to any of the relief sought.

(iv) The plaintiff's reply was served on 9 December 2024 joining issue with the defences pleaded.

The Book – the plaintiff's meanings

[8] In para 5 of the Statement of Claim, the plaintiff pleads that in their natural and ordinary meaning, the words complained of in the Book meant, and were understood to mean that:

(a) The plaintiff is a subversive, covert agent of the United Arab Emirates who improperly writes warning letters and/or institutes legal proceedings for the purpose of silencing voices in the West who are critical of the United Arab Emirates.

(b) The plaintiff writes warning letters and/or institutes legal proceedings, not in the interests of his clients, but for the improper purpose of intimidating critics of the United Arab Emirates.

(c) The plaintiff uses his legal practice to unfairly and improperly target academic publishers, universities and social media companies in order to protect or advance the interests of the political regime in the United Arab Emirates.

(d) The plaintiff is an unethical solicitor who abuses his position as an officer of the court to use litigation for purposes that are ulterior to the administration of justice.

The defendant's pleading on meanings in relation to the Book

[9] In his defence the defendant expressly denies the meanings pleaded by the plaintiff but under the heading "Truth" pleads at para 5b of his defence the following:

> "If in so far as the words complained of in the book in their natural and ordinary meaning, and in their proper context, meant or were understood to mean that, the plaintiff, in his capacity as a lawyer, has sent

> correspondence including cease and desist letters, on behalf of clients including Cornerstone, to publishers, universities and social media companies, addressed to persons critical of the United Arab Emirates and/or its regional policy, of Cornerstone and persons associated with it, and of other individuals closely aligned with Abu Dhabi including Mohammed Dahlan, and that the plaintiff's activities in that regard have helped his clients help Abu Dhabi silence its critics in the West, they were true in substance and in fact. If necessary the defendant will rely on section 1(3) of the Defamation Act (Northern Ireland) 2022."

The Post – the plaintiff's meanings

[10] In para 7 of the Statement of Claim, the plaintiff pleads that, in their natural and ordinary meaning, the words complained of in the Post meant, and were understood to mean that:

(a) The plaintiff is a UAE agent who was complicit in attempts by the UAE to remove information of a prisoner (in particular, a Maryam al-Balushi) from Facebook and Twitter.

(b) The plaintiff is engaged in aggressive and intimidatory lawfare, in breach of all his regulatory obligations and conspired with a secret agent of the UAE in this regard.

(c) The plaintiff is an unethical solicitor who abuses his position as an officer of the court to use litigation for purposes that are ulterior to the administration of justice.

The defendant's pleading on meanings in relation to the Post

[11] The defendant has not pleaded an alternative meaning to the Post, but refutes the meanings pleaded by the plaintiff. In short, he says that the words are simply not capable of bearing any defamatory meaning.

Applications

[12] On 13 January 2025 the plaintiff brought an application seeking an order pursuant to Order 82 rule 3A of the Rules of the Court of Judicature (Northern Ireland) 1980 ("the Rules"), determining whether:

(a) the words complained of are capable of bearing the meaning attributed to them in paragraph 5(b) of the defendant's defence and in the alternative an

order pursuant to Order 18 rule 19 of the Rules and/or the inherent jurisdiction of the court striking out the meaning pleaded in para 5(b);

(b) subsequent to a review hearing and directions by the court the defendant issued a cross application on 14 March 2025 for an order pursuant to Order 82 rule 3A of the Rules determining whether the words complained of are capable of bearing the meanings attributed to them in paras 5.1, 5.2, 5.4 and 7 of the plaintiff's Statement of Claim. Further, or in the alternative, the plaintiff sought an order pursuant to Order 33 rule 3 of the Rules that the court determine the single meaning of the publications identified in the Statement of Claim as a preliminary issue.

The court's task

[13] The effect of the applications, which involve challenges to the meanings pleaded by the respective parties is that it falls to the court to determine the single meaning of the publications complained of in the Statement of Claim as a preliminary issue.

[14] The "single meaning" rule has been the subject matter of both academic and judicial criticism. It is discussed at para 3-016 in Gatley on Libel and Slander, 13th ed.

[15] The author describes the rule as being "well established in defamation." In *Stocker v Stocker* [2019] UKSC 17 the Supreme Court endorsed the rule as "well entrenched in the law of defamation" and suggested that it provided "a practical workable solution" to the task of determining the meaning of a given matter. Prior to the effective abolition of juries in defamation actions by the Defamation Act (Northern Ireland) 2022 the role of the trial judge was to exclude unreasonable meanings from the pleadings and leave it to the jury to determine the single meaning that they found the statement to bear. After the 2022 Act this task falls to the trial judge.

[16] Gatley suggests that "its continued existence in defamation seems ripe for challenge." In *Aginomoto Sweeteners v Asda Stores Ltd* [2010] EWCA Civ 609 Sedley LJ referred to the rule as being "anomalous, frequently otiose and, where not otiose, unjust" [para 31] and "a pragmatic practice [that] became elevated into a rule of law and has remained in place without any enduring rationale" [para 32]. In the same case Rimmer LJ stated that if the single meaning rule managed to achieve a fair balance between the parties' interests, it "would appear to be the result of luck rather than judgment" [43]. The risk as identified by Gatley is that by insisting on a single meaning when it is clear the words may carry more than one meaning, the court will either fail to provide redress for injury that has unquestionably been suffered or overcompensate the claimant by awarding him damages for a meaning that some readers may have found the words to bear whereas others, wholly reasonably, understood the words in a non-defamatory or less-defamatory sense.

[17] Notwithstanding these criticisms it was agreed by the parties that the court should determine the single meaning of the words complained of in this action.

Meanings: legal principles

[18] The applicable law is not in dispute. In *Koutsogiannis v The Random House Group Ltd* [2020] 4 WLR 25 (approved by the Court of Appeal in *Millett v Corbyn* [2021] EWCA Civ 567) Nicklin J at para [11] in describing the court's task said:

> "[11] The court's task is to determine the single natural and ordinary meaning of the words complained of, which is the meaning that the hypothetical reasonable reader would understand the words bear…"

[19] At para [12] he then reviews the leading authorities and sets out thirteen key principles which can be distilled from them as follows:

> "(i) The governing principle is reasonableness.
>
> (ii) The intention of the publisher is irrelevant.
>
> (iii) The hypothetical reasonable reader is not naïve, but he is not unduly suspicious. He can read between the lines. He can read in an implication more readily than a lawyer and may indulge in a certain amount of loose thinking, but he must be treated as being a man who is not avid for scandal and someone who does not, and should not, select one bad meaning where other non-defamatory meanings are available. A reader who always adopts a bad meaning where a less serious or non-defamatory meaning is available is not reasonable: s/he is avid for scandal. But always to adopt the less derogatory meaning would also be unreasonable: it would be naive.
>
> (iv) Over-elaborate analysis should be avoided, and the court should certainly not take a too literal approach to the task.
>
> (v) Consequently, a judge providing written reasons for conclusions on meaning should not fall into the trap of conducting too detailed an analysis of the various passages relied on by the respective parties.

(vi) Any meaning that emerges as the produce of some strained, or forced, or utterly unreasonable interpretation should be rejected.

(vii) It follows that it is not enough to say that by some person or another the words might be understood in a defamatory sense.

(viii) The publication must be read as a whole, and any 'bane and antidote' taken together. Sometimes, the context would clothe the words in a more serious defamatory meaning (for example the classic "rogues' gallery" case). In other cases, the context will weaken (even extinguish altogether) the defamatory meaning that the words would bear if they were read in isolation (eg bane and antidote cases).

(ix) In order to determine the natural and ordinary meaning of the statement of which the claimant complains, it is necessary to take into account the context in which it appeared and the mode of publication.

(x) No evidence, beyond the publication complained of, is admissible in determining the natural and ordinary meaning.

(xi) The hypothetical reader is taken to be representative of those who would read the publication in question. The court can take judicial notice of facts which are common knowledge but should beware of reliance on impressionistic assessments of the characteristics of a publication's readership.

(xii) Judges should have regard to the impression the article has made upon them themselves in considering what impact it would have made on the hypothetical reasonable reader.

(xiii) In determining the single meaning the court is free to choose the correct meaning; it is not bound by the meanings advanced by the parties (save that it cannot find a meaning that is more injurious than the claimant's pleaded meaning)."

The "Book" publication

[20] In the context of the Book publication Mr Coghlin highlights the principles in (viii) and (xi).

[21] Returning to *Koutsogiannis*, at para [14] Nicklin J says:

> "Context is particularly important when the words complained of are part of a book. The ordinary reasonable reader is taken to have read the whole of the book: *Brown v Bower* [10]. Specific guidance in relation to ascertaining the meaning of a book was provided by Gray J in *Charman v Orion*:
>
> > '[11] It appears to me to be particularly important where, as here, a judge is providing written reasons for his conclusion as to the meaning to be attributed to the words sued on, that he should not fall into the trap of conducting an over-elaborate analysis of the various passages relied on by the respective protagonists. The parties are entitled to a reasoned judgment but that does not mean that the court should overlook the fact that it is ultimately a question of the meaning which would be put on the words of the book by the ordinary reasonable reader. Such a hypothetical reader is assumed not to be a lawyer. He or she is very unlikely to read the whole book in a single sitting or to compare one passage with another or to focus on particular phrases. The exercise is essentially one of ascertaining the broad impression made on the hypothetical reader by the book taken as a whole.'"

"The Post"

[22] The recent decisions in *Monroe v Hopkins* [2017] EWHC 433 (QB); *Aluko v Barton* [2025] EWHC 853 (KB) and *Vine v Barton* [2024] EWHC 1268 (KB) focus on the legal principles in relation to determining the single, natural and ordinary meaning of words complained of in posts and social media.

[23] In *Monroe*, Warby J discussed the law on meanings and applied the principles to Twitter:

"[34] These well-established rules are perhaps easier to apply in the case of print publications of long standing such as books, newspapers, or magazines, or static online publications, than in the more dynamic and interactive world of Twitter, where short bursts of pithily expressed information are the norm, and a single tweet rarely exists in isolation from others. A tweet that is said to be libellous may include a hyperlink. It may well need to be read as part of a series of tweets which the ordinary reader will have seen at the same time as the tweet that is complained of, or beforehand, and which form part of what Mr Price has called a 'multi-dimensional conversation.'

[35] The most significant lessons to be drawn from the authorities as applied to a case of this kind seem to be the rather obvious ones, that this is a conversational medium; so it would be wrong to engage in elaborate analysis of a 140 character tweet; that an impressionistic approach is much more fitting and appropriate to the medium; but that this impressionistic approach must take account of the whole tweet and the context in which the ordinary reasonable reader would read that tweet. That context includes (a) matters of ordinary general knowledge; and (b) matters that were put before that reader via Twitter.

[36] As to the characteristics of the readership, it has been said that in a Twitter case, 'The hypothetical reader must be taken to be a reasonable representative of users of Twitter who follow the Defendant': McAlpine [58] (Tugendhat J). The mechanics of the medium mean however that the readership of a tweet may go beyond followers of the defendant and extend to followers of other Twitter users: see How Twitter Works at [14]. This case is an illustration. But nobody has attempted to establish by evidence any particular characteristics of the groups of Twitter readers this case is concerned with that could have a bearing on meaning. It is not in dispute that the followers of the parties (and, I would add, visitors to their homepages) are likely to be people who are at least broadly sympathetic to the contrasting political stances of Ms Monroe and Ms Hopkins. This means, on the facts, that there were groups of readers who read what was said from different political standpoints. But that is not relevant to the meaning of words.

> 37. There has been some debate about another issue: what are the limits of categories (a) and (b) at [35] above? How much should be regarded as known to a reader via Twitter, or as general knowledge held by such a reader? I am not sure that the answers matter a great deal for the resolution of the question that I am now addressing, or for the outcome of this case overall. But in principle the main dividing lines seem reasonably clear. A matter can be treated as known to the reader if the court accepts that it was so well-known that, for practical purposes, everybody knew it. An example would be the fact that the Conservatives formed a government after the 2015 General Election. A matter can be treated as known to the ordinary reader of a tweet if it is clearly part of the statement made by the offending tweet itself, such as an item to which a hyperlink is provided. The external material forms part of the tweet as a whole, which the hypothetical reader is assumed to read. This much seems to be common ground in this case. Ordinary readers of the tweets complained of had information that a war memorial had been sprayed with offensive graffiti."

[24] In *Vine* (which was cited with approval in *Aluko),* Steyn J endorsed the legal principles set out in *Koutsogiannis* and added:

> "[7] The Court's task is to determine the natural and ordinary meaning of the words complained of, which is the single meaning the words would convey to the hypothetical ordinary reasonable reader: *Blake v Fox* [2023] EWHC Civ 1000, [2024] EMLR 2, Warby LJ (with whom Arnold and Nicola Davies LJJ agreed), [19]. The legal principles to be applied when the Court is determining the natural and ordinary meaning of words complained of are well-established and uncontroversial.
>
> [8] In *Blake v Fox*, Warby LJ observed at [19]-[21]:
>
> > '19. …That meaning is to be determined objectively by reference to the words themselves. No other evidence is admissible. The author's intention is irrelevant as is evidence about the meaning that readers actually took from the statement complained of. But the medium of expression and the

> context in which the words complained of appear are both important.
>
> 20. Judges must seek to place themselves in the position of a reader who is neither avid for scandal nor unduly naïve. They should beware of over-elaborate analysis, especially when dealing with postings on social media such as Twitter, which are 'in the nature of conversation rather than carefully chosen expression.' The meaning that an ordinary reasonable reader will receive from a tweet is likely to be 'more impressionistic than, say, from a newspaper article' and 'the essential message that is being conveyed by a tweet is likely to be absorbed quickly by the reader.' Judges should have regard to the impression the words make upon them. They can take judicial notice of particular characteristics of a given readership if these are matters of common knowledge but should beware of impressionistic assessments of those characteristics. The correct approach, and the established practice, for a judge deciding meaning at first instance is to read or watch the offending publication to capture an initial reaction before reading or hearing argument.'"

Application of the legal principles

The court's first impression

[25] In accordance with the legal principles set out above and what was described by Warby LJ as "the established practice" when first reading the publications complained of my impression was the words were indeed defamatory of the plaintiff. In short, they fall foul of the principle referred to at the opening of this judgment. They fail to separate sufficiently the role of the plaintiff solicitor from the instructions/intentions of his clients.

[26] That said Mr Coghlin in his able submissions has given the court cause for thought.

The court's analysis

The Book

[27] I summarise Mr Coghlin's submissions in the following way.

[28] The starting point is the meaning of the words complained of should be derived from the publication as a whole. In this context I of course am aware of the caution against an over-elaborate analysis of the publication complained of.

[29] The Book is not an easy read.

[30] Returning to the title of the Book "Subversion" is defined at page 2 of the Book as meaning "the strategic exploitation of sociopsychological, infrastructural, and other physical vulnerabilities in the information environment by an external adversary to erode a sociopolitical consensus or status quo."

[31] The particular type of exploitation of vulnerabilities in the information environment by external adversaries examined in the Book involves what the author describes as the use of weaponised narratives. In page 2 of the Book, narratives are defined as:

> "Narratives are the stories that structure our realities, create and maintain identity, and provide meaning to people, institutions, and cultures. Narratives are integral elements to build a societal consensus on 'truth' – and whether this 'truth' is then built on facts or false information becomes a secondary consideration."

[32] The Book's thesis is that, given the function of narratives as defined in creating social consensus, the manipulation of narratives can also disrupt the social consensus and that such disruption can lead to the destruction of a consensus necessary for societies to form policies with respect to external adversaries. These are "weaponised narratives."

[33] In the introduction the author says:

> "As an attack on the integrity of the public sphere, weaponised narratives undermine the relationships between individual members of civil society as well as the relationship between civil society and the governing authority. It is here that weaponised narratives have the power to disrupt discourse in such a way that the public is first unable to reach a consensus among itself and then finds it even harder to translate it into consensual policy outcomes. Over time, weaponised narratives thereby do

> not just undermine the sociopolitical consensus but also ultimately alter the sociopolitical status quo – that is how a community, a government, or a state defines itself and its core policies."

[34] The author contends that the current information environment which has been transformed by the digital revolution means that:

> "Assemblages between the state and private sector are being created, whereby activities in the information environment are delegated by the state to the private sector – creating a level of dissociation between the state and the executing agent that provides the former with a degree of plausible deniability." (Page 4 of the Book)

[35] The author distinguishes between a state and what he describes as an "executing agent operating in the information environment."

[36] At page 9 of the Book the author states that:

> "…the argument in this book contends that the strategic orchestration of subversion by an external adversary to exploit an audience's sociopsychological, infrastructural and physical vulnerabilities could be considered a means of warfare."

[37] That said the author points out that it is a "defining characteristic" of private individuals operating in the information environment that their intent is unknown and the activities are not unlawful:

> "A defining characteristic of these influence activities in the gray zone is ambiguity about the influencers' intent, the participants, and the legality or normality of these activities. Most important, these networks of surrogates allow states to operate with plausible deniability because the attribution to the sponsor of an activity is nearly impossible."

[38] Throughout the Book, in different contexts from the chapter relied upon the author refers to "surrogates, coincidental surrogates or useful idiots" which "are an integral part of every good subversive campaign."

[39] Mr Coghlin specifically draws the court's attention to Chapter 7 of the Book headed "Toward Information Resilience."

[40] Here the author addresses the vulnerabilities created by the current information environment. At page 175, the author states:

> "Subversion, as it is introduced in this book, neither neatly sits in the cyber domain nor fits nicely into more analogue modes of malicious activities below the threshold of war. As Thomas Rid observes, 'Subversion, in contrast to what some security scholars seem to think, is not principally illegal and it is not even principally illegitimate – only the most extreme forms of subversion are.' Especially in liberal, open democracies where civil liberties are protected and the public sphere is an integral element of political discourse and accountability, subversion appears to be entirely within the boundaries of law.
>
> Hence, Western liberal democracies appear to be particularly vulnerable to weaponised narratives. Actors such as Russia and the United Arab Emirates (UAE) seem to exploit the protection of speech, press, and civil liberties in liberal democracies. The unwillingness to regulate the freedom of speech and channels of political communication make it hard, yet not impossible, to adequately distinguish between subversion and legitimate expression of political dissent – the reason being that subversion relies heavily on legitimate civil-societal activism. For authoritarians on the other side, any form of civil-societal activism is inherently subversive. Thus, liberal democracies have a greater challenge when trying to balance civil liberties with counter subversion, specifically when faced with civil-societal actors that do not play by the rules."

[41] Thus, Mr Coghlin concludes his argument by saying the thesis of the Book is, therefore, that it is not the activities of the private individuals in the information environment that is subversive, but the strategic orchestration of those activities by external adversaries for the purposes of eroding social consensus.

[42] Insofar as the defendant relies on assessing the words complained of in the context of an ongoing debate, the only material available to the court in this regard is the Book itself, which the court considered in its entirety.

[43] Mr Coghlin further argues that in addressing the issue of meaning the court should have regard to the probable ordinary reader of the Book.

[44] He points out that the Book went through a peer-review process in two rounds. In affidavit evidence the defendant relies upon two reader reports.

[45] In the content of those reviews the authors outline who they expect the readership of the Book to be ie experts, academics, practitioners and not a broad readership. For example, they point out that the Book is not even suitable for an undergraduate readership. It was suggested, therefore, that the readers of the Book will be a niche expert audience with practitioner background.

[46] Mr Ringland counters by reference to reviews suggesting that the subject has a value for a broader readership. These would include media, civil society, policy makers and lay people (involved in the areas of contemporary disinformation disorders, computational propaganda, and political warfare), every household in a democratic society and anyone seeking to navigate and understand the intricate landscape of information warfare.

[47] Mr Ringland draws attention to the fact that the defendant appeared on GB News to explain and promote the Book.

The relevant portion of the Book

[48] The portion of the Book which is the subject of the words complained of appears in Chapter 6 under the title "How the United Arab Emirates Weaponises Narratives." The chapter states:

> "This chapter sheds light on the rise of the UAE as an information power, which gave it the opportunity to learn how to mobilise and demobilise civil society and policy makers at home, in the region and abroad, following a comprehensive subversion strategy."

The Book contends that:

> "The strategic objectives for the United Arab Emirates in the information environment are two-fold…First, influencing civil-societal and policy-relevant discourse, domestically, regionally and globally in Western capitals and second disrupting information-psychological stability in vulnerable communities and countries in the Middle East…"

Pleadings on meanings

The Book

[49] The pleadings are far apart in terms of the meanings alleged. The defendant has pleaded a meaning set out in para [9] above. Properly analysed that meaning is not a defamatory meaning and, in that respect, it seems to the court that the pleading is defective. In short, what the defendant is really saying is that the publication complained of in the Book is not defamatory.

[50] At the other end of the scale, the plaintiff pleads a range of meanings in general terms ranging from an allegation that the plaintiff acted unprofessionally as a solicitor to the most extreme meaning that he is a subversive covert agent of the United Arab Emirates.

[51] Applying all the principles I have set out above, I remain of the view that the words complained of fall foul of the principle enunciated in the first paragraph of this ruling.

[52] The primary target of the criticism is the London-based consultancy Cornerstone Global Associates (alleged to be a part of the UAE's information network in Europe). It is alleged that it closely works with the plaintiff to send aggressive cease and desist letters to academic publishers, universities and social media companies. It is alleged that the purpose of these letters is to target individuals critical of the UAE and its regional policy. [my underlining].

[53] I consider that words such as "the libel lawyer therefore targets", "aggressive cease-and-desist letters", "lawfare", "is meant to intimidate critics", "provides the UAE's information network with ammunition to attack such critics" are clearly critical of the plaintiff. It is significant that it is "the libel lawyer" who carries out "lawfare" to "intimidate critics."

[54] Taking account of Mr Coghlin's arguments about reading the publication as a whole, it is significant that in referring to "civil-societal actors" this includes such actors who "do not play by the rules" – see page 175 of the Book. Further, the back cover of the Book includes the following:

> "Subversion examines how malicious state and non-state actors take advantage of the information space to sew political chaos." [my underlining]

[55] The fact that at page 9 of the Book, the author says that some of the activities of private individuals "are not unlawful", does not avail the defendant. An allegation which falls short of unlawful conduct may still be defamatory.

[56] I consider that the reasonable hypothetical reader of this text would conclude that in their natural and ordinary meaning, the words complained of mean that the plaintiff acted unprofessionally in his work on behalf of Cornerstone Global Associates. The "sting" of the words complained of is that in identifying the plaintiff they fail to recognise his proper and legitimate role in acting on behalf of his client. It must be remembered that the reasonable hypothetical reader will not be a lawyer.

[57] I do not consider that the same reader would reasonably conclude that the words meant the plaintiff was a subversive covert agent of the United Arab Emirates who was involved in some improper or nefarious conduct to protect or advance the interests of a particular political regime. The identification does not go that far. In short, the sting here relates to alleged unprofessional behaviour.

[58] That being so, I rule that the single correct meaning of the words complained of in the Book is that:

> "The plaintiff acted unprofessionally in working with Cornerstone Global Associates and others in sending aggressive cease and desist letters to academic publishers, universities and social media companies in an effort to target and intimidate individuals critical of UAE and its regional policy."

The Post

[59] The defendant does not plead any specific meaning but alleges that the words complained of are not defamatory. Although it is true that the plaintiff does not expressly plead that the words complained of were defamatory in para [6] of the statement of claim, it is clear from the pleaded meanings in para [7] that it is alleged that the Post had a defamatory meaning.

[60] In similar vein to the words complained of in the Book, the plaintiff pleads meanings ranging from him being an unethical solicitor to him being a UAE agent.

[61] It will be clear from the authorities referred to earlier in relation to meanings of tweets, that an impressionistic approach is more fitting and appropriate to that medium. An over-elaborate analysis is inappropriate.

[62] In addition, in the context of this case, the link to the article published by Heidi.News does form part of the Post.

[63] The statement of claim does not plead any parts of the article as being relevant to the meanings pleaded. The article might be regarded as important and relevant context in assessing the meaning of the Post.

[64] By way of a brief digression, the plaintiff's perspective on the article can be seen in the open letter of claim sent on 24 July 2023 in relation to the Post.

[65] The letter refers to the previous letters of claim in relation to the Book and then goes on to refer to the Post complained of published on 14 July 2023. The letter proceeds as follows:

> "Below these words you published a very prominent link to an article that had been published the same day by a website based in Europe called, Heidi.News, together with a prominent photograph of Mr Tweed. Readers were encouraged by your tweet to read the article, which was clearly being endorsed and approved by you. In the circumstances, by your tweet you caused the republication of the Heidi.News article ("the article") in this jurisdiction and worldwide…
>
> **Defamation**
>
> The Article focuses heavily on allegations concerning Mr Tweed. Its overall meaning and effect is that Mr Tweed is a UAE agent who was complicit in attempts by the UAE to remove information about a prisoner (in particular, a Maryam Al-Balooshi, from Facebook and Twitter.
>
> The Article also leads readers to understand that Mr Tweed, acting for the UAE and conspiring with another UAE agent called Maryam Al-Balooshi had cunningly pretended to be acting for his co-conspirator, Ms Al-Balooshi (who was not imprisoned) and on this pretext was able to begin legal proceedings against Facebook and Twitter for the removal of content about a prisoner of the same name.
>
> These allegations are completely untrue, and you knew or certainly should have known they were. As we have informed you, Mr Tweed most certainly did not use Ms Al-Balooshi's case as a pretext for the removal of content damaging to the UAE, and there is nothing in the material relied on in the Article to suggest he did. He did not conspire with Ms Al-Balooshi to carry out work on behalf of the UAE.

> Although he is constrained as to what he can say about his work due to client confidentiality, we can state the following for the purpose of setting the record straight.
>
> Ms Al-Balooshi is a respected engineer and artist and is a UAE spokesperson at International Civil Aviation Organisation Conferences. Her photograph was wrongly used by Al Jazeera in their reporting about a prisoner Maryam Al-Balooshi. Al Jazeera subsequently removed the offending material but not before it was disseminated by other online outlets. Mr Tweed was instructed by his client, Ms Al-Balooshi, regarding the removal of a photograph and false references of her being a prisoner. Mr Tweed carried out the instructions received directly from his client, in accordance with all strict regulatory duties and requirements, with a view to taking appropriate action against social media and other online platforms.
>
> Mr Tweed was ultimately successful in his task of removing the photograph of his client. He did not seek to interfere with any media coverage relating to a prisoner called Maryam Al-Balooshi, and indeed we note, that content about *that* Ms Al-Balooshi remains online, except that now – due to Mr Tweed's work – it is not illustrated by the wrong photograph. His legal work in this case was entirely proper.
>
> The Article you shared via your tweet represents a gross manipulation of what is obviously improperly obtained and falsified information. The Article is a deliberate and orchestrated attack on an officer of the court and is not only a matter of concern to Mr Tweed personally but for the legal profession as a whole. The motivation for this Article is sinister in nature and designed to cause maximum harm to Mr Tweed's good reputation."

Thus, it will be seen that the focus of the complaint relates to the article from which the Post was taken rather than the Post itself.

[66] A further matter relevant to consideration of meanings relates to the potential readership of the tweet in question. The court has heard no specific evidence on this issue.

[67] I agree with Mr Coghlin that, as far as the ordinary reasonable reader might be concerned, the matters referred to in the Post are not matters of ordinary general knowledge.

[68] That said, there is evidence before the court that the defendant had 15,100 followers and the screenshot of the Post (taken the day after publication) demonstrated that it had 2,494 views.

[69] I agree with Mr Ringland's submission that it is probable that the defendant's followers include those working in media, politics, business and academia. Thus, they are likely to be well educated in middle east affairs and have knowledge of Maryam Al-Balooshi and the controversy surrounding Princess Latiffa.

[70] Returning to the meanings, Mr Coghlin submits that the words complained of simply are not capable of bearing the meanings pleaded on behalf of the plaintiff. In relation to the meaning pleaded at 7.1, there is no basis for alleging that the plaintiff is a UAE agent in the text. The agent is described as "Matar" and not the plaintiff. He argues that there is no basis for the allegation that the words complained of impute complicity in attempts by agents of the UAE.

[71] In relation to 7.2, no conspiracy is alleged, there is no allegation of lawfare nor any breach of regulatory obligations.

[72] In relation to 7.3, he argues there is nothing in the tweet about solicitors' ethics or about the status of a solicitor in Northern Ireland as an officer of the court. There is nothing about litigation before the courts, or the processes by which justice is administered in Northern Ireland or any other jurisdiction where the plaintiff practices.

[73] In general terms, Mr Coghlin submits that there is nothing to suggest that the lawyer is an agent of his client. He asks rhetorically, how can it be defamatory to say that a lawyer suggested "an aggressive strategy?" Similarly, he asks what is defamatory in saying that a solicitor, on behalf of his client, "fought" on behalf of his client to obtain the removal of content? This is what lawyers do. They fight on behalf of their clients.

[74] Applying the relevant principles and taking into account the parties' submissions, I have concluded that the words complained of do have a defamatory meaning. The focus of the Post is on the plaintiff. It is the solicitor who is identified both in the text and in the accompanying photograph. The impressionistic view that I formed when first reading the text was that it was an express criticism of a solicitor in carrying out his professional role. I remind myself that the reasonable hypothetical reader will not be a lawyer.

[75] As is the case with the Book, whilst the Post identifies the plaintiff with his client, it does not do so to the extent that a reasonable reader would conclude that he

was somehow a secret agent of the UAE. The sting of the Post is that he has acted unprofessionally in acting on behalf of a secret agent "Matar" and in the removal of content from Facebook and Twitter.

[76] I consider that the reasonable reader of the Post and, in particular, followers of the defendant would conclude that in doing so, the plaintiff acted unprofessionally.

[77] I, therefore, rule that the single correct meaning of the words complained of is that:

> "The plaintiff acted unprofessionally in suggesting an aggressive strategy to a UAE secret agent and in fighting against Facebook and Twitter to obtain the removal of content on behalf of his client."